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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/608,462

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Brian Meyers

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EXAMINER

LAY, MICHELLE K

ART UNIT

PAPER NUMBER

2672

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/608,462	Applicant(s) MEYERS ET AL.	
	Examiner Michelle K. Lay	Art Unit 2672	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>121704</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference characters "158" in the specification [page 7, line 6] and "160" in Fig. 1 have both been used to designate an optical drive interface. Reference characters "835" in the specification [page 17, line 19] and "845" in Fig. 8A have both been used to designate the step within the optimum bump process to increment by 8. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claim is confusing because it is unclear how two different locations can have the same pixel coordinates. As best as can be determined, the claim language "substantially the same pixel coordinates" is considered to mean by the examiner, "close to" or "adjacent to" in interpreting in prior art rejections.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3, 14 – 16, 18, 19, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 4,789,962 to Berry et al.

Berry et al. teaches a method of, and placing help information on, a convenient but unneeded portion of a screen. Illustrated in Fig. 1, this help information is displayed as windowed information with borders (12) to distinguish help from the remainder of the information on the screen (11) [column 4, lines 39 – 43] (claim 3). A quadrant is sought having sufficient blank space to position the help window [column 4, lines 20 – 22] (claim 1, 14). This blank space is considered to contain no graphical content as described in claim 15.

In regards to claims 16, 18, 19, and 22, Berry et al. teaches the option of placing the help window within a quadrant that contains information if no blank space is available [column 4, line 24]. In this case, as illustrated in Fig. 2 and using Fig. 1 for reference, the help window is written into and over a portion of the information in the 4th quadrant. The reason for selecting a certain quadrant is based on the information that is cursored (claim 22) [column 4, line 25]. This method of choosing a location for the help window may be considered to be carried out within a relatively short time duration from when the user initiates the need of the help window (claim 19). As the example provided in Fig. 2 depicts, MARGINS is cursored. Here, MARGINS forms part of an option field with related information. SCALE LINE, PAGE SIZE and TYPESTYLE are the other parts of the option field. It is desirable not to have related information overlaid or covered up with the help window, thus by positioning the help window in the 4th quadrant, all remaining options, such as PAGE SIZE, are still available for cursoring and calling help [column 4, lines 25 – 39] (claim 16).

4. Claims 25 – 29 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. US 6,573,913 B1 to Butler et al.

Butler et al. discloses a system and method for repositioning and displaying objects in multiple monitor environments. As shown in the flowchart of Fig. 9, MoveCursor() determines which monitor is closest in Euclidean distance to each of the monitors (904) (claim 28) [column 10, line 6]. Once determined, Movecursor() picks the monitor having the shortest distance to the clipped point and moves the cursor to a

location on the edge (or just inside) of that monitor space (906) (claims 25, 26, 27) [column 10, lines 66 – 67]. USER then instructs the display driver that had the cursor image at its former position to clear it and instructs the display driver now having the cursor image to draw it at the proper location (906) [column 11, lines 4 – 7]. USER is another operating system subsystem that provides functions relating to the GUI [column 6, lines 41 – 44].

In regards to claim 29, illustrated in Fig. 11(a), the window (90) straddles the two monitor spaces (41)(43) such that the portion (92) in the monitor space (41) has a larger area than the portion (94) in the second monitor space (43). Consequently, as shown in Fig. 11(b), when the end-user maximizes the window (90) by clicking the cursor (25) in the upper right hand corner, the window (90) will maximize to occupy the first monitor space (41) [column 12, lines 50 – 56]. It may be understood, that the window (90) may maximize to occupy the second monitor space (43) if the window (90) were to have occupied the majority of this display (43).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 4 – 8, 17, 20, 21, 23/1, 23/3, 23/4, 23/8, 23/14, 23/20, 23/22, 24/1, 24/3, 24/4, 24/8, 24/14, 24/20, and 24/22 are rejected under 35 U.S.C. 103(a) as being

unpatentable over US Patent No. 4,789,962 to Berry et al. in view of US Patent No. 6,008,809 to Brooks.

Berry et al. explains the claimed limitations of claims 2, 4 – 8, 17, 20, 21, 23/1, 23/3, 23/4, 23/8, 23/14, 23/20, 23/22, 24/1, 24/3, 24/4, 24/8, 24/14, 24/20, and 24/22 with the exception of teaching resizing the graphical component in proportion to the new resolution, the use of an input device to move the graphical component and a computer readable media containing executable instructions. However, Brooks discloses an apparatus and method for viewing multiple windows simultaneously, (i.e. without having windows overlapping each other) within a dynamic window, allowing a user to relate several windows shown on a display without having to repeatedly arrange and size each individual window [column 5, 42 – 46]. Referring to Fig. 4, the dynamic windowing mechanism [Fig. 1 (128)] dynamically sizes each application window as the user drags and drops the application windows into the dynamic window (410). It may be understood this may be done via a suitable pointing device, such as a mouse [column 1, line 44] (claims 5, 6). Dynamic sizing causes the application window to be sized in relation to other application windows residing in the dynamic window [column 6, lines 31 – 35] (claims 4, 17). Furthermore, the user may observe the dragging action as the motion is made (claim 21), as shown in Fig. 11 where the honeydew.dbf window (504) is dragged into the dynamic window (212). The path of the honeydew.dbf window (504) as it is dragged by the user by a certain distance into the dynamic window (212) as shown in phantom, which can be described as a leftward horizontal path (claim 2, 7, 8, 20) [column 9, lines 38 – 44].

Referring to Fig. 1 of Brooks, a computer system (100) with a processor (110), main memory (120), mass storage interface (140), and a network interface (15) are all connected by a system bus (160) [column 3, lines 51 – 54] (claims 23/1, 23/3, 23/4, 23/8, 23/14, 23/20, 23/22). The main memory (120) stores programs and data that the computer may access [column 3, lines 66 – 67]. The processor (110) executes the program instructions that make up the operating system (126) [column 4, lines 1 – 4]. The mass storage interface (14) allows the computer system (100) to retrieve and store data from auxiliary storage devices such as magnetic disks (hard disks, diskettes) and optical disks (CD-ROM) (claims 24/1, 24/3, 24/4, 24/8, 24/14, 24/20, 24/22).

Therefore, it would have been obvious to one in the art at the time the invention was made to combine the invention of Berry et al. with the resizing method of Brooks because this would allow multiple windows to be viewed on the same level without the time consuming process of having to repeatedly resize and position multiple windows [Brooks: column 2, lines 14-17].

6. Claims 9 – 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 4,789,962 to Berry et al. in view of US Patent No. US 6,573,913 B1 to Butler et al.

Berry et al. explains the claimed limitations of claims 9 – 12 with the exception of teaching the use of multiple display regions. However, Butler et al. discloses a system and method for repositioning and displaying objects in multiple monitor environments. As shown in the flowchart of Fig. 9, MoveCursor() determines which monitor is closest

in Euclidean distance to each of the monitors (904) [column 10, line 6]. Once determined, Movecursor() picks the monitor having the shortest distance to the clipped point and moves the cursor to a location on the edge (or just inside) of that monitor space (906) [column 10, lines 66 – 67]. USER then instructs the display driver which had the cursor image at its former position to clear it and instructs the display driver now having the cursor image to draw it at the proper location (906) [column 11, lines 4 – 7], where USER is another operating system subsystem that provides functions relating to the GUI [column 6, 41 – 44] (claims 9, 10).

In regards to claim 11, although the claim is confusing, claim 11 is read as if the location of the current display is located close to the pixel coordinates of the graphical component at the current location. Therefore, referring to Fig. 13(b), Butler et al. illustrates the graphical component being repositioned from it's current location (101) to location (105) within the second display (47), at a decent distance from the display region edges (claim 12). The new pixel coordinates of the relocated graphical component are consequently close to the initial location of the graphical component (claim 11).

Therefore, it would have been obvious to one in the art at the time of invention to combine the invention of Berry et al. with the teachings of multiple monitors by Butler et al. because this would aid in alleviating the problem of screen clutter when an end-user has a large number of display regions open on the monitor at the same time [Butler et al.: column 1, lines 54 – 56].

7. Claims 13, 23/9 and 24/9 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 4,789,962 to Berry et al. in view of US Patent No. US 6,573,913 B1 to Butler et al. as applied to claim 9 above, and further in view of US Patent No. 6,008,809 to Brooks.

Butler et al. teaches the claimed limitations of claims 13, 23/9 and 24/9 with the exception of disclosing shifting the graphical component if the graphical component does not fit within the other display region and teaching the use of a computer readable media containing computer executable instructions and a computer system having a processor and memory to store these instructions. However, Brooks teaches displaying multiple windows simultaneously within a dynamic display. Referring to Figs. 5 – 12, the dynamic windowing mechanism [Fig. 2 (128)] dynamically sizes each application window as it is dragged and dropped into the dynamic window (212). The dynamic sizing causes the application window to be sized in relation to other application windows residing in the dynamic window [column 6, lines 31 – 35]. For example, illustrated in Fig. 8, cantaloupe.spd (506) occupies the entire region of the dynamic window (212). To place watermelon.doc [Fig. 9 (502)] within the same dynamic window (212), cantaloupe.spd (506) resizes, or shift to make room for watermelon.doc (502) [Fig. 10] (claim 13).

Regarding claims 23/9 and 24/9, Fig. 1 of Brooks illustrates a computer system (100) with a processor (110), main memory (120), mass storage interface (140), and a network interface (15) are all connected by a system bus (160) [column 3, lines 51 – 54] (claim 23/9). The main memory (120) stores programs and data that the computer may

access [column 3, lines 66 – 67]. The processor (110) executes the program instructions that make up the operating system (126) [column 4, lines 1 – 4]. The mass storage interface (14) allows the computer system (100) to retrieve and store data from auxiliary storage devices such as magnetic disks (hard disks, diskettes) and optical disks (CD-ROM) (claims 24/9).

Therefore, it would have been obvious to one in the art at the time the invention was made to combine the systems of Berry in view of Butler with the system of Brooks to provide a system and instructions to carry out the use of multiple monitors to aid in alleviating the problem of screen clutter when an end-user has a large number of display regions open on the monitor at the same time [Butler et al.: column 1, lines 54 – 56], without having to repeatedly arrange and size each individual window [Brooks: column 2, lines 45 – 47].

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michelle K. Lay whose telephone number is (703) 305-0887. The examiner can normally be reached on Monday through Friday from 7:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi, can be reached at (703) 305-4713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2672

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mkl 12.17.2004 *h*.


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